

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: : Case No. 23-bk-02771-HWV
PENN CENTER HARRISBURG, L.P. :
Debtor : Chapter 11
:
:
PENN CENTER HARRISBURG, L.P. :
Movant :
:
:
v. :
:
:
FULTON BANK, UPMC, CITY OF :
HARRISBURG, DAUPHIN COUNTY :
TAX CLAIM BUREAU, :
HARRISBURG CITY SCHOOL :
DISTRICT :
Respondents :

**MOTION FOR EXPEDITED HEARING REGARDING MOTION
TO SET SALE PROCEDURES AND TO APPROVE SALE OF
REAL PROPERTY, PERSONAL PROPERTY AND VEHICLES FREE AND
CLEAR OF ALL LIENS, CLAIMS, ENCUMBRANCES, AND OTHER
INTERESTS**

The Motion of Penn Center Harrisburg, L.P. (“Debtor”) for an Expedited Hearing regarding the Motion to Set Sale Procedures and to Approve Sale of Real Property, Personal Property and Vehicles Free and Clear of All Liens, Claims, Encumbrances and Other Interests (the “Procedures Motion”), is as follows:

1. On December 7, 2023, the Debtor filed a voluntary Chapter 11 Petition under the United States Bankruptcy Code.
2. The Debtor is a Pennsylvania limited partnership engaged in the ownership and management of real estate (the “Business”).
3. The Debtor is in possession of its property and, as Debtor-in-Possession, is operating its Business and managing its property.

4. The Debtor owns the Real Property.
5. Portions of the Real Property are subject to various leases held by the Debtor (the “Leases”).
6. The Debtor also owns certain items of personal property including, various equipment and furniture (the “Personal Property”) and a 1999 Chevrolet Suburban, a 1998 Ford Pickup and a 2019 Ford F-250 (the Vehicles).
7. As part of the Debtor’s reorganization, the Debtor intends to sell the Real Property, Personal Property and Vehicles (collectively the “Assets”).
8. On or about January 29, 2024, Debtor entered into an Agreement of Sale (the “Agreement”) with Pennmark Harrisburg Holdings, LLC (“Pennmark”) for the total purchase price of \$2,650,000.00.
9. As part of the Agreement, closing is to be held on or before March 1, 2024.
10. In an effort to move this matter forward in an expeditious manner and to meet the closing deadline, the Debtor wishes to hold an auction on the Assets not later than February 12, 2024.
11. Accordingly, it is requested that the hearing approving the Sale Procedures be held expeditiously.
12. Therefore, the Debtor is requesting a hearing be scheduled on the Procedures Motion on February 6, 2024.
13. No parties will be prejudiced by the holding of an expedited hearing on the Procedures Motion.

WHEREFORE, it is respectfully requested this Honorable Court schedule an expedited hearing on February 6, 2024, on the Motion for an Expedited Hearing regarding the Motion to Set Sale Procedures and to Approve Sale of Real Property, Personal Property and Vehicles Free and Clear of All Liens, Claims, Encumbrances and Other Interests.

Respectfully submitted:

CUNNINGHAM, CHERNICOFF
& WARSHAWSKY, P.C.

By: /s/ Robert E. Chernicoff
Robert E. Chernicoff, Esquire
Attorney I.D. No. 23380
2320 North Second Street
P. O. Box 60457
Harrisburg, PA 17106-0457
(717) 238-6570

Date: February 1, 2024